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Notice of Allowability

Application No.

10/715,772

Examiner

Lester L. Vanterpool

Applicant(s)

BROWN, WORTH

Art Unit

3782

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 27, 2007.
2. ☒ The allowed claim(s) is/are 1-8, 10, 11, 13, 14, 18-20, 28-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dave OKey on March 19, 2007.

Regarding claim 1, lines 9 – 18, delete the phrase: "wherein the carrier further comprises a member having a middle portion, a first flap extending from a first side of the middle portion, a second flap extending from a second side of the middle portion, the first and second flaps configured to fold over the middle portion and around the strap to moveably secure the carrier to the strap, the member when unfolded exposing a first side having a plurality of compartments sized to hold personal items, the carrier including at least one additional compartment located on a second side of the member for holding a cellular phone, wherein the member and the at least one additional compartment each comprises a portion that opens and closes to enable insertion and removal of the personal item or cellular phone", and;

replace claim 1, lines 9 – 18 with: - - a carrier supported by the strap, the carrier sized to hold a personal item, wherein the carrier further comprises a center member

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having longitudinal side edges and first and second sides, a first flap extending from a first longitudinal edge of the center member, a second flap extending from a second longitudinal edge of the center member, the first and second flaps configured to fold over the center member to cover the first side of the center member and around the strap to moveably secure the carrier to the strap, the center member when the first and second flaps are unfolded exposing the first side having a plurality of compartments sized to hold personal items, the carrier including at least one additional compartment located on the second side of the center member for holding a cellular phone, wherein the center member and the at least one additional compartment each comprises a cover that opens and closes to enable insertion and removal of the personal item or cellular phone. - -

Claim 9 has been cancelled.

Regarding claim 10, lines 1 & 2, delete the phrase: "The personal item carrying device of claim 9, wherein the folding members include an attachment device that attaches the members to one another.", and;

replace claim 10, lines 1 & 2 with: - - The personal item carrying device of claim 1, wherein the first and second flaps include an attachment device that attaches the flaps to one another.

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Regarding claim 18, lines 9 – 17, delete the phrase: “wherein the caddy further comprises a member having a middle portion, a first flap extending from a first side of the middle portion, a second flap extending from a second side of the middle portion, the first and second flaps configured to fold over the middle portion and around the strap to moveably secure the caddy to the strap, the member when unfolded exposing a first side having a plurality of compartments sized to hold personal items, the caddy including at least one other compartment located on a second side of the member, wherein the member and the at least one other compartment further comprises a portion that opens and closes to enable insertion and removal of the personal item.”, and;

replace claim 18, lines 9 – 17 with: - - wherein the caddy further comprises a center member having longitudinal side edges and first and second sides, first flap extending from a first longitudinal edge of the center member, a second flap extending from a second longitudinal edge of the center member, the first and second flaps configured to fold over the center member and around the strap to moveably secure the caddy to the strap, the center member when the first and second flaps are unfolded exposing the first side having a plurality of compartments sized to hold personal items, the caddy including at least one other compartment located on the second side of the center member, wherein the center member and the at least one other compartment further comprises a cover that opens and closes to enable insertion and removal of the personal item.

Claims 23 – 27 have been cancelled.

Regarding claim 28, lines 2 – 10, delete the phrase: “a member including a middle portion, a first flap extending from a first side of the middle portion, a second flap extending from a second side of the middle portion, the first and second flaps operable to fold over the middle portion and around and couple to a strap and releasably attach to each other, the inside of the middle portion of the member including multiple card holding slots; and

an outside of the middle portion of the member including a compartment sized to securely hold a cellular phone, wherein the member and the compartment each further comprises an attachment device that open and closes to enable insertion and removal of the cards and the cellular phone.”, and;

replace claim 28, lines 2 - 10 with: - - a strap configured to be placed over a person and to extend from a first side of the person, along the front of the person, over the shoulder on a second side of the person, and return along the back of the person to the first side;

the strap adjustable via a member fixed to the strap at a first strap position and slidably engaged to the strap at a second strap position;

the strap also including an opener that enables the strap to be opened and thereafter be placed around the person's midsection and adjusted via the member; and

a member, supported by the strap including a middle portion, a first flap extending from a first side of the middle portion, a second flap extending from a second

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side of the middle portion, the first and second flaps operable to fold over an inside surface of the middle portion and around and coupled to the strap and releasably attach to each other; the inside surface of the middle portion of the member including multiple card holding slots; and

an outside surface of the middle portion of the member including a compartment sized to securely hold a cellular phone, wherein the middle portion and the compartment each further comprises an attachment device that open and closes to enable insertion and removal of the cards and the cellular phone. - -

Regarding claim 29, lines 4 & 5, delete the phrase: "the member further comprises an attachment selected from the group consisting of a spring clip, a lock, a hook and any combination thereof.", and;

replace claim 29, lines 4 & 5 with: - - the member further comprises an attachment mechanism selected from the group consisting of a spring clip, a lock, a hook and any combination thereof. - -.

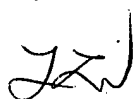
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lester L. Vanterpool whose telephone number is 571-272-8028. The examiner can normally be reached on Monday - Friday (8:30 - 5:00) EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LLV


NATHAN J. NEWHOUSE
SUPERVISORY PATENT EXAMINER